

REMARKS

The Office Action mailed March 7, 2008 has been received and reviewed. By the present Response and Amendment, Claims 10, 16, 20 and 22 are canceled; Claims 17 and 18 are withdrawn, and Claims 1, 6, 8, 12 and 19 are amended. No new matter is introduced.

Claims 1, 3, 4, 6, 8-10, 19-22, 24 and 25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,065,871 to Reno. Applicant requests reconsideration in view of the present claim amendments. As amended, Claim 1 recites that the lancet holder of the present invention is mounted for reciprocal translation along a linear lancing stroke path, which is defined by a linear guide surface of the housing that extends between first and second spring axles upon which are carried the coil portions of the torsion springs. As a preliminary matter, the path of travel of the blade 88 shown in the Reno '871 reference can not properly be considered to be "linear," nor does Reno's blade 88 move in "reciprocal translation," as presently claimed. Also, the springs 100, 96 of the Reno reference are on the same side of the blade's overall path of travel, so there is no linear guide surface "between the first and second spring axles," as presently claimed. Amended Claim 8 similarly recites "first and second spring axles positioned generally opposite the linear guide path from one another," and amended Claim 19 now recites first and second torsion springs mounted "generally opposite" a "linear path of travel" from one another. Accordingly, Reno '871 does not disclose or suggest the invention of the presently amended claims.

Claims 12-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,628,939 to Intengan et al. Applicant requests reconsideration in view of the present claim amendments. As amended, Claim 12 now recites "first and second spring axles and ... a linear guide path between the first and second spring axles...." Amended Claim 12 further specifies that "loop portions" of the drive and return springs be carried on

the first and second spring axles. The Intengan '939 reference does not disclose or suggest these features of the presently amended claims.

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,065,871 to Reno in view of U.S. Patent No. 4,628,939 to Intengan et al. Claims 4, 5 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,065,871 to Reno in view of U.S. Patent No. 6,190,398 to Schraga. Claims 7 and 11-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,065,871 to Reno. Applicant requests reconsideration in view of the present amendments to the claims. As noted above, neither Reno '871 nor Intengan '939 disclose or suggest the features now recited by the respective base claims, and Schraga '398 does not cure this deficiency. Accordingly, the invention defined by the presently amended claims is not obvious in view of the cited art.

CONCLUSION

In view of the amendments submitted herein and the above comments, it is believed that all grounds of rejection are overcome and that the application has now been placed in full condition for allowance. Accordingly, Applicant earnestly solicits early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicant's undersigned attorney at (770) 984-2300.

Respectfully submitted,



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